

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES EVERETT SHELTON,

Plaintiff,

v.

FCS CAPITAL LLC, et al.,

Defendants.

Case No. 2:18-cv-03723-JDW

ORDER

AND NOW, this 2nd day of October, 2020, upon consideration of Plaintiff's Motion for Sanctions Against Defendants for Failure to Produce Documents in Aid of Execution (ECF No. 79), and for the reasons set forth on the record during the video conference with counsel for the Parties, it is **ORDERED** that the Motion is **GRANTED**.

It is **FURTHER ORDERED** as follows:

- 1) On or before October 5, 2020, Defendants Emil Yashayev and Barry Shargel shall produce all documents in their possession, custody, or control that are responsive to Plaintiff's Requests for Production of Documents (ECF No. 54-3);
- 2) On or before October 6, 2020, each Defendants' counsel, Mr. Yashayev, and Mr. Shargel shall each file a certification on the docket, stating under oath that he has complied with this Order and produced **all** responsive documents;
- 3) The Court determines that an award of attorneys' fees for the costs of this Motion is appropriate pursuant to Fed. R. Civ. P. 37. Plaintiff may file a Petition for Attorneys' Fees on or before October 9, 2020; and

- 4) Defendants' response to the Petition shall be due by October 23, 2020.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.